IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6439 of 2001

For Approval and Signature:

Hon'ble MR.JUSTICE C.K.BUCH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

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GOHIL PRADUMANSINH MERUBHAI

Versus

STATE OF GUJARAT

Appearance:

1. Special Civil Application No. 6439 of 2001

MR CB DASTOOR for Petitioner No. 1-15

MS RV ACHARYA, AGP for Respondent No. 1-4

CORAM : MR.JUSTICE C.K.BUCH

Date of decision: 10/09/2001

ORAL JUDGEMENT

1. Rule. Service of Rule is waived by Ms. Rohini Acharya, ld. AGP for the respondents.

2. The grievance of the petitioners is that on

bifurcation of the Bhavnagar District, some of the part of Bhavnagar District was put under the territory of revenue district Amreli. As per the policy of the government, the petitioners exercised option which they were asked to exercise and the grievance of the petitioners is that though they have exercised their option, the Govt. has not decided their options till today. They should not be asked to work for indefinite period and respondents should decide as to acceptance or refusal of the option immediately. I am told that approximately 30 similarly situated police personnel had filed a petition being Spl.C.A. No.953 to 980 of 2000 wherein this Court, vide judgment dated 6.3.2000, issued directions to consider the option of the petitioners at the earliest. I am told that the government has completed all the formalities qua the cases of the petitioners who have approached the Court. It has been submitted by ld. counsel Mr. Dastoor for the petitioners that this petition also can be disposed of on the same line, by issuing similar type of directions.

3. The grievance of the petitioners being genuine, it would be in the interest of justice to pass the following directions :-

(i) The respondent authorities shall decide the options given by the petitioners preferably within 3 (three) months and in any case not later than 6 (six) months;

(ii) In the meanwhile, the petitioners and other similarly situated persons, whose options are pending may be transferred from their present place of working, namely Savarkundla, Samdiala (Rural), Jesar etc. to the Police Stations within Amreli district, bordering Bhavnagar district, namely, Babra, Lathi, Damnagar, Lilia, Rajula and Jafrabad, only on disciplinary grounds and in administrative exigencies

4. This petition stands allowed in terms of above directions. Rule is made absolutely accordingly. No costs.
Direct Service is permitted.

10.9.2001 [C.K. BUCH, J]
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